GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

WRD – Hon'ble High Court orders on Writ Petitions against the Common Award, dated:17.02.2011 (10 ID Nos) of Labour Court, Anantapur – Deposit an amount of Rs. 7,70,040/- in Labour Court, Anantapur to implement the interim orders of High Court of AP in WPMP No. 49899/2012 in WP No.39301/2012 dt:22.7.2014 and batch cases – Permission – Accorded.

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WATER RESOURCES (SER.IV) DEPARTMENT

G.O.RT.No. 244 Dated: 25-05-2017
Read:

From the Chief Engineer, NTR Telugu Ganga Project, Tirupati Lr.No. CE/NTR/ TGP/TPT/AB/D.Section/ dated:15.03.2017.

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ORDER:

In the reference read above, the Chief Engineer, NTR TGP, Tirupati has submitted a proposal for sanction of Rs. 7,70,040/- to deposit the said amount in Labour Court, Anantapur to implement the interim orders of the High Court dt:25.11.2013 in WP No.18416/2012 & batch cases i.e. for payment of wages to the workmen (petitioners) as per provisions of 17-B of Industrial Disputes Act.

2. The Industrial Tribunal Cum Labour Court, Ananthapur passed a common Award in the I.Ds on 17.02.2011 duly directing the respondents to reinstate the petitioners into service with continuity of service, attendant benefits and to pay full salary on par with regular employee after their reinstatement. As per the advice of Govt. Pleader, Labour court, Writ Petitions were filed by the Executive Engineer, TGP Division, Venkatagiri during 2012 in Hon"ble High Court of AP, Hyderabad to set aside the Labour Court Award dt:17.2.2011.

3. The Hon'ble High Court of AP, Hyderabad in its interim orders dt: 25.11.2013 in WP No.18416/2012 & batch cases, have made the following order:

> As per the impugned common award, ordinarily, the unofficial respondents ought to have been reinstated into service or, in the alternative, they should have been paid wages as per section 17-B or the Industrial Disputes Act, 1947.
>
> The learned G.P. for I&CAD appearing for the writ petitioners, therefore, submits that the unofficial respondents would be given wages instead of their reinstatement into service.
>
> Sri P.Raghavender Reddy, learned counsel appearing for the unofficial respondents has no objection to receive wages.
>
> In view of the said representation, interim orders are made absolute, subject to the payment of wages to the unofficial respondents as per the provisions of section 17-B of the Act, within a period of four weeks from the date of receipt of a copy of this order.
>
> Accordingly, W.V.M.Ps are dismissed.

4. On appeal in WP No.39301/2012 filed by the Government against the common award in ID No.125/2008 and batch dated: 17.2.2011, the High Court in its interim order in WPMP No.49899/2012 in WP No.39301/2012 dt:22.7.2014 has granted interim suspension of the Award dt:17.2.2011 subject to the payment of wages to the workmen as per the provisions of 17-B of the Industrial Disputes Act.

(PTO)

5. The Chief Engineer, TGP, Tirupati has submitted that to implement the Interim orders of Hon'ble High Court of A..P. the Department has to pay the last wages drawn by the petitioner through Labour Court, Anantapuramu by depositing the requisite amount and the Executive Engineer, T.G.P.Division, Venkatagiri has worked out to Rs. 7,70,040/, for the period from the date of interim orders of Hon'ble High Court up to end of 02/2017 for implementation of interim orders of High Court as detailed below:

Sl. No.	Name of Job Workers	Writ Petition Numbers	Last Drawn Wages per month @ Rs.74.40/ per day	No.of Months up to 28-02-2017	Amount in Rs.
1	2	5	7	8	9
1	T.Bhaskar Reddy, ID No.123/2008	WPNo.18416 of 2012 Dt. 25-11-2013	2232.00	39 Months	Rs.87048/-
2	L.Raghavaiah, ID No.124/2008	WPNo.39585 of 2012 Dt. 22.07.2014	2232.00	31 Months	Rs.69192/-
3	C.Eswaraiah, ID No.125/2008	WPNo.18343 of 2012 Dt. 25-11-2013	2232.00	39 Months	Rs.87048/-
4	M.Venkataramanaiah, ID No.126/2008	WPNo.18334 of 2012 Dt. 25-11-2013	2232.00	39 Months	Rs.87048/-
5	B.Ismayulu, ID No.143/2008	WPNo.18856 of 2012 Dt. 25-11-2013	2232.00	39 Months	Rs.87048/-
6	N.Venkataiah ID No.144/2008	WPNo.18355 of 2012 Dt. 25-11-2013	2232.00	39 Months	Rs.87048/-
7	C.Sankaraiah, ID No.148/2008	WPNo.39301 of 2012 Dt. 22.07.2014	2232.00	31 Months	Rs.69192/-
8	A.Achi Babu, ID No.149/2008	WPNo.35284 of 2012 Dt. 22.07.2014	2232.00	31 Months	Rs.69192/-
9	P.Munikrishnaiah, ID No.163/2009	WPNo.35195 of 2012 Dt. 22.07.2014	2232.00	31 Months	Rs.69192/-
10	D.Ramachandran ID No.201/2008	WPNo.25209 of 2012 Dt. 27.12.2014	2232.00	26 Months	Rs.58032/-
				TOTAL =	Rs.770040/-

6. The Chief Engineer, TGP, Tirupati has requested the Government for necessary permission to deposit the said amount in Labour Court, Anantapur, by sanctioning Rs.7,70,040/- under the head of Account 4700-01- 123-11-27-530-531 (charged) in order to implement the interim orders of the Hon'ble High Court of AP, Hyderabad dt:25.11.2013 in WP No.18416/2012 & batch cases to avoid legal complications in the matter.

7. Under the above circumstances, Government after careful examination, hereby permit the Chief Engineer, TGP, Tirupati to deposit an amount of Rs.7,70,040/- (Rupees Seven Lakhs Seventy thousand and forty only) in Industrial Tribunal-cum-Labour Court, Anantapur duly sanctioning the said amount under the head of account 4700 -01- 123- 11 – 27- 530 -531 (charged) for payment of wages to the workmen (petitioners) as per provisions of 17-B of Industrial Disputes Act. for the period from the date of interim orders of Hon'ble High Court up to end of 02/2017 subject to condition to verify the sanctioned amount is in conformity with the interim orders of High Court of AP in WPMP No. 49899/2012 in WP No.39301/2012 dt:22.7.2014 and batch cases.

(PTO)

8. This order issues with the concurrence of Finance (FMU-WR.II) Department vide their U.O.No.32036/37/HR.III/2017, dated: 9.5.2017.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SHASHI BHUSHAN KUMAR
SECRETARY TO GOVERNMENT

To
The Chief Engineer, NTR Telugu Ganga Project,
WATER Resources Department, Tirupati, Chittoor District.
Copy to:
The Engineer-in-Chief (IW) Water Resources Department
Currency Nagar, Vijayawada.
The Superintending Engineer, TGP & GNSS Circle, Tirupati,
Chittoor District.
The Finance (FMU-WR.II) Department
SC.

//Forwarded : By Order//

SECTION OFFICER